

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARCO MIGUEL ROBERTSON,

Petitioner,

v.

FEDERAL BUREAU OF PRISONS, et al.,

Respondents.

Civil Action No. 3:12-cv-322

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW this 14th day of March, 2012, upon review of the Report and Recommendation of Magistrate Judge Martin C. Carlson (Doc. 6) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 6) is **ADOPTED**.
- (2) The Action is **DISMISSED WITHOUT PREJUDICE**.
- (3) Plaintiff's Motion to Proceed *in forma pauperis* (Doc. 3) is **GRANTED** solely for the purpose of filing the instant action.
- (4) A Certificate of Appealability **SHALL NOT ISSUE**.
- (5) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge